

**Committee on Equal Opportunities**  
**Council on Postsecondary Education**  
**February 16, 2010**

## **2011-15 Statewide Diversity Policy/Plan**

### **Background**

For more than three decades, the Commonwealth of Kentucky operated under the provisions of a federal finding that mandated the termination and remediation of all elements of de jure segregation in its public colleges and universities. During that period significant resources were invested to comply with the finding and after significant progress and change Kentucky was found to be in compliance with Title VI and its implementing regulation January 2, 2009, with respect to the issues addressed in the finding. In anticipation of this event, the Council directed the Committee on Equal Opportunities, in collaboration with the institutions, to develop a statewide diversity plan. The CPE directive can be found in the agenda materials for July 2005, September 2008, and January 2009. The CPE actions are attached.

A statewide diversity policy will take effect November 1, 2010 and extend until December 31, 2020. A review of the policy will take place in year five.

### **Current Status**

At each CEO meeting, beginning with the February 2009 meeting, the Council staff has presented a status report that identified the progress made toward development of a diversity policy/plan, including items that may necessitate consideration of a more flexible approach. The primary focus being no other state public postsecondary education coordinating body has ever developed a statewide policy. Other influences are the introduction of new leadership, including CPE president, CPE chair, KDE commissioner, and institutional leadership; release by the US Department of Education Office for Civil Rights; and the report of the Civil Rights Project.

## Development Process

Step 1: CPE Directives and Planning & Analysis	Step 2: Public Input and Policy/Plan Drafts	Step 3: Finalize Policy and Evaluation System and Institution Develop Plans
July 2005 - January 2009	February 2009 – April 2010	May – November 2010
<p>Key Directives</p> <ul style="list-style-type: none"> <li>• July 18, 2005, conduct a study to determine the Commonwealth's compelling interest, if any, to engage in diversity planning</li> <li>• September 18, 2008, CPE accepted statewide diversity study conducted by The Civil Rights Project</li> <li>• September 28, 2008, CPE directed the Committee on Equal Opportunities, in consultation with the universities and KCTCS, to develop an approach for a statewide diversity plan</li> <li>• Formed Work groups</li> <li>• Developed Timeline for plan development</li> <li>• January 16, 2009, the CPE accepted the CEO Action Plan to develop a statewide diversity plan</li> <li>• Formed CEO workgroups</li> <li>• Literature Review, information gathering, data analysis</li> <li>• Draft initial concept of diversity plan</li> </ul>	<p>Key Tasks</p> <ul style="list-style-type: none"> <li>• Initiate conversations with constituent groups</li> <li>• Fully develop discussion concept for public review and input</li> <li>• Identify and define strategies, vision, core beliefs and values, and general objectives</li> <li>• Circulate and review DRAFT policy with constituent groups, conference of presidents, institutions, and CEO</li> <li>• Revise and re-circulate document for additional input and invite constituents to CEO meeting for further comment</li> <li>• Develop specific framework to guide development of institution plans and objectives</li> <li>• Review and discuss baseline performance metrics, performance targets, and assessment system</li> <li>• Hold public discussion at CEO meeting to solicit additional public comment.</li> </ul>	<p>Key Tasks</p> <ul style="list-style-type: none"> <li>• Develop Final Draft of statewide diversity policy</li> <li>• Develop Final Draft implementation and assessment system</li> <li>• Finalize policy, implementation strategy, performance metrics and targets, and assessment system for CPE review and Action</li> <li>• CPE review and act on statewide diversity policy</li> <li>• Publish statewide diversity policy</li> <li>• Institutions develop specific diversity plans and submit to CEO for review and recommendation to CPE.</li> <li>• CPE review and accept institution plans as implementation strategies under the statewide diversity policy</li> </ul>

## Review and Discussion

The contents of a working DRAFT policy are provided.

### Document Title:

"Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development"

### Introduction:

When the United States Department of Education Office for Civil Rights released Kentucky from the remedial planning process, the Council on Postsecondary Education (CPE) reaffirmed the importance of diversity as a core strategy in its strategic planning process and directed its Committee on Equal Opportunities (CEO), in collaboration with the public institutions, to develop a statewide diversity plan. Research documents that diversity is linked to educational excellence and the economic future of citizens.

As stated in *Gratz v. Bollinger*, 539 U.S.244, 123 S.Ct. 2411 (2003) and *Grutter v. Bollinger* 539 U.S. 306, 123 S.Ct. 2325, 15 L.Ed.309, (2003):

Institutions of higher education have an obligation first and foremost to create the best possible educational environment for the young adults whose lives are likely to be significantly changed during their years on campus. Specific objectives may vary from one institution to another, but all efforts must be directed to ensuring an optimal educational environment for these young people who are at a critical stage of development that will complete the foundation for how they will conduct their lives.

### Statement of policy:

It is the policy of the CPE that the public institutions within the Commonwealth embrace diversity, and reflect that diversity in their student body and their workforce. Further, our colleges and universities commit to eliminate attainment gaps that presently exist and work to achieve comparable results among all students without regard to race, ethnicity or economic status.

Achieving educational excellence is partially dependent on an environment that fully supports and engages diverse cultures, diverse perspectives, and the idea of social justice. This policy framework includes core values, commitments, and action statements that will assist institutions as they develop or refine their own diversity plan.

### Vision:

The vision of CPE is for all public postsecondary institutions to implement strategies, programs, and services that address the needs of and advance diverse populations, particularly those most affected by institutional and systemic inequity and exclusion. Diversity is broader than race and ethnicity, including other groups identified by each institution. The definition affirms and embraces multiple identities, beliefs, values, ethnic and racial diversity, and cultural practices.

Diversity is an essential characteristic in building an inclusive community of individuals with varied human differences and world views that honor and respect those differences in a safe, supportive, and nurturing environment. This policy framework infrastructure sustains past achievements and moves the system to a higher level of leadership. The framework will:

- Assure consistency with system wide and institutional diversity policies and practices.
- Describe diversity, access, and equal opportunity for students, faculty, administrators, and staff in action plans that address the educational and work environment at the institution level.
- Implement a system of institutional accountability by using metrics that are specific and measurable.
- Recognize that equal opportunity is essential to social justice for all.
- Preserve broad access to high quality postsecondary education opportunities.

#### Core Values:

Core values inform and direct the work on diversity, access, and equal opportunity. The following values shape the priorities and will guide decisions for the Commonwealth's vision of diversity.

- Value diversity as a vital component in the state's educational and economic development.
- Review and monitor diversity, access, and equal opportunity for underserved groups that have historically experienced discrimination and exclusion.
- Encourage intellectual and creative freedom.
- Challenge stereotypes and promote awareness and inclusion.
- Prepare students to live and work in a diverse global society.
- Support community engagement, civic responsibility, and service that advance diverse and underserved population groups.
- Implement assessment and accountability measures that document the progress and outcomes of diversity initiatives.
- Foster a campus climate that supports diversity.

#### Definition of Diversity:

The term *diversity* describe differences in racial or ethnic classification, age, gender, religion, philosophy, physical abilities, socioeconomic background, sexual orientation, gender identity, genetic attributes, place of origin, cultural values, or political view as well as other identifying features. The use of *diversity* also extends to Academia, wherein an attempt to create a "diverse student body" typically supports the recruitment of students from historically excluded populations, such as students of African American or Latino background as well as women in such historically underrepresented fields as the Sciences.

Action Plan Commitments and Initiatives (performance metrics and targets):

The Council on Postsecondary Education requires that each public institution develop, not later than **January 1, 2011** a campus based Diversity Plan which shall set forth measurable objectives and strategies that will be implemented on the campus to achieve the following objectives:

A Diverse Student Body – Diversity in the student body is a compelling state interest for educational excellence.

- I. Enrollment (Includes ALL Students)
  - Undergraduate Enrollment by Underserved Population
  - Graduate Enrollment by Underserved Population (excludes KCTCS)
- II. Student Persistence
  1. Retention Rate
  2. Graduation Rate
  3. Degrees/Certificates Awarded
- III. Closing the Achievement Gap
  - Student Degree/Certificates Attainment
    1. Racial/Ethnic
    2. Low income status
  - Developmental Education
  - Student Transfer
- IV. Maintenance of Effort – Continue Commitment to KY African American Students
  - Enrollment
    1. Undergraduate Enrollment
    2. Graduate Enrollment
  - Student Persistence
    1. Retention Rate
    2. Graduation Rate
    3. Degrees/Certificates Awarded
- V. Workforce Diversity (Regular Full-Time Employees) - A strong component of the framework for diversity, access, and equal opportunity relies on the guidance of Title VII which is concerned with ensuring a broad, diverse representation of employees in the workplace.
  - Employment
    1. Executives, Administrative, Managerial
    2. Faculty
    3. Professional
    4. Office Clerical
    5. Technical Paraprofessional
    6. Skilled Craft
    7. Service Maintenance

## VI. Campus Climate

- Campus Environment Team
- Comprehensive assessment
- Retention and Promotion
  1. Executives, Administrative, Managerial
  2. Faculty
  3. Professional
  4. Office Clerical
  5. Technical Paraprofessional
  6. Skilled Craft
  7. Service Maintenance
  8. Gender

### Assessment and Accountability (assessment system):

The CPE will evaluate, publish, and establish institutional status using racial, ethnic, low-income, and gender information for appropriate cohorts and establish progress (change in proportionate share) for each category. Low-Income students as referenced in this section are defined by the Pell-grant eligibility criteria.

#### *I. Enrollment*

1. Ethnic/Racial categories are Black/African American, American Indian/Alaskan Native, Asian, Native Hawaiian/Pacific Islander, Hispanic, White, Two or more, and Unknown.
2. Low-Income students and Gender.

#### *II. Student Persistence*

1. First year retention for full-time first-time freshmen (freshman to sophomore year) for ethnic/racial categories. Low-Income students.
2. Second year retention (sophomore to junior year) for ethnic/racial categories. Low-Income students. (excludes KCTCS)
3. Retention of all undergraduate students based on ethnic/racial categories and status as low-Income students and gender

#### *III. Closing the Achievement Gap*

1. Student degree/certificate attainment disparities among all ethnic/racial categories, and low-income students.
2. Developmental education first year retention, second year retention (sophomore to junior year, excludes KCTCS) and time to degree.
3. Student transfer from two-year to four year institutions.

#### *IV. Maintenance of Effort does not include a new performance requirement.*

- V. Workforce Diversity - The CPE will evaluate, publish, and establish institutional status using racial, ethnic, and gender information for employment categories of

Executives/Administrative/Managerial, Faculty, Professional, Office Clerical, Technical Paraprofessional, Skilled Craft, and Service Maintenance and assessing progress (change in proportionate share) for each category. All references to employment categories in this section are identified in the preceding sentence.

#### *Employment*

1. Annual evaluation of progress in each employment category.

VI. *Campus Climate* - The CPE will receive, review and publish qualitative institutional self assessment data for the following:

- Campus Environment Team
- Comprehensive assessment of strategies and best practices implemented in support of the institutional and KCTCS diversity plans
- Employment Retention and Promotion

#### Institutional Status (annual assessments):

There are five commitments. Progress on four of the five commitments will result in a status of automatic eligibility to implement new academic programs. In the event a campus fails to demonstrate annual improvement in at least four commitments, penalties set forth in KRS 164.020 (19) will be imposed. Waivers from these requirements may be granted, under the guidelines in Administrative Regulation 13 KAR 2:060, on written request from any campus.

#### Institutional Action Plan Development and Adoption:

It is the intent of the Council on Postsecondary Education that, following adoption of a statewide diversity plan framework, institutions will review and, if necessary, develop or revise individual campus diversity plans.

#### Follow-up and Revisions:

The statewide diversity plan and institutional plans are five year efforts. A summative evaluation of the framework for diversity will occur at the end of the five years and an external evaluator may be contracted to evaluate the processes and outcomes of the framework for diversity. The evaluator will make recommendations for future directions. The evaluations, along with any institutional self-studies, will provide the context and foundation for revisions to the statewide diversity plan and institutional action plans.

Reviewer comments are provided as Attachment A. Previous CPE actions are provided as Attachments B, C, and D.

Staff preparation by Rana Johnson and Sherron Jackson